

WELFARE REFORM ACT 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Universal credit

Section 6: Restrictions on entitlement

41. *Section 6* allows the Secretary of State to place certain restrictions on entitlement to universal credit.
42. Under *subsection (1)(a)* regulations may specify circumstances in which a person will not be entitled to universal credit even though they meet the conditions of entitlement. This will be used to prevent entitlement to universal credit arising in specific situations (for example, where it would be inappropriate such as in the case of prisoners).
43. *Subsection (1)(b)* prevents a person from being entitled to universal credit if they only meet the conditions of entitlement for a short period, to be prescribed in regulations.
44. *Subsection (1)(c)* provides that a person may not be entitled to universal credit for a short time after meeting the conditions of entitlement. This period will be determined in regulations. This recreates the waiting days that currently apply in JSA and ESA, and is intended to avoid the administrative costs involved in making awards for very short periods of entitlement.
45. *Subsection (2)* ensures that the number of days prescribed under paragraphs (1)(b) or (c) can be no more than seven.
46. Regulations made under *subsection (3)* may set out circumstances in which the restrictions on entitlement in subsections (1)(b) and (1)(c) do not apply.